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THE JOURNAL

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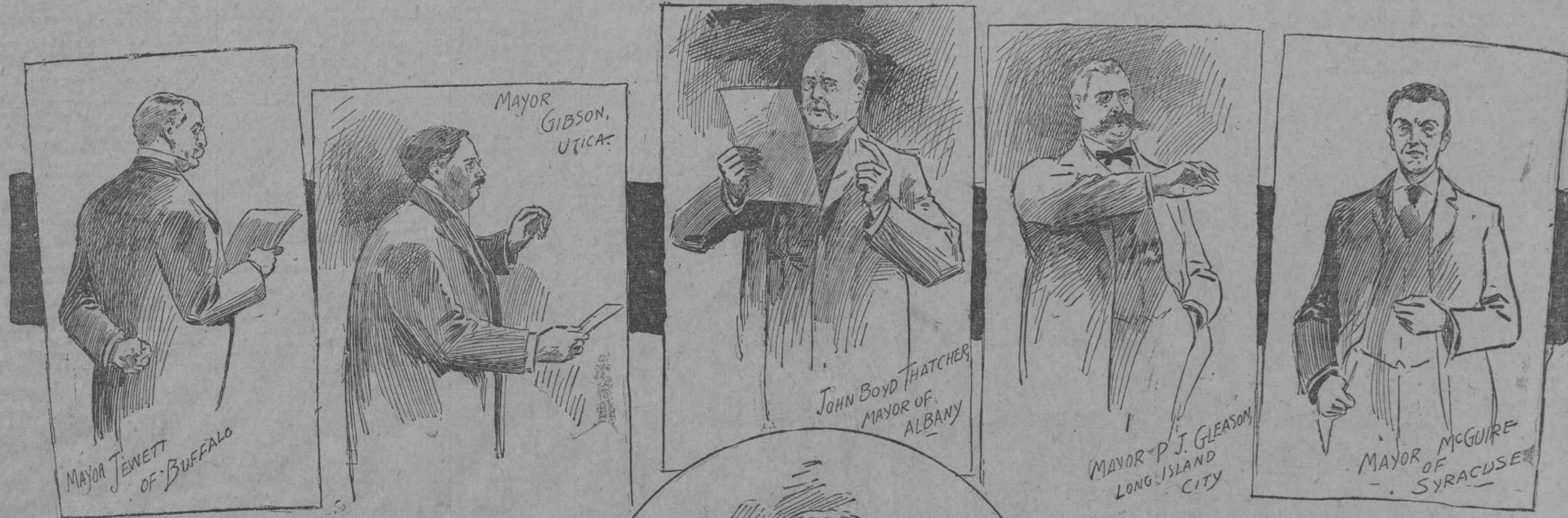
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SOME REPRESENTATIVE MAYORS WHO APPEARED AT THE GOVERNOR'S HEARING ON THE RAINES EXCISE BILL.



MAYORS FLAY RAINES'S BILL.

Thirteen Cities Unite in Formal Denunciation of the Measure.

Only One Weak Partisan Voice Advocates It Before the Governor.

Albany's Mayor Contends That the Bill is Unconstitutional as Well as Unjust and Vicious.

DESIGNED TO ROB THE CITIES.

Many Municipal Officers Protest Against the Proposed Enactment and Point Out the Evil Results to Flow from It.

Albany, N. Y., March 18.—The final rally against the Raines bill was made by the mayors of the cities of the State before Governor Morton to-day. It was an occasion without an equal in the history of the Executive Chamber. No bill previously passed by a Legislature has met any such opposition, and none within the memory of the present political leaders has ever called for such a gathering.

To the astonishment of everybody, there was no appearance from either of the two great cities in the metropolitan district. The intense and bitter opposition to the Raines bill in both New York and Brooklyn naturally led the enemies of the proposed law to look for help from those quarters most consistently. Even the Governor seemed surprised when he learned that the cities chiefly affected by the bill were not represented. It was understood that Mayor Strong had at the last moment decided to recognize the overwhelming public sentiment against the measure in New York, and had deputized Assistant Corporation Counsel John Proctor Clark to voice the opposition of the metropolis to the bill.

The Mayor's remarks to Mr. C. N. Hovee, as reported in the newspapers, were taken as a sure indication that New York City would not remain silent. Mr. Hovee, who was at the Capitol during the day, repeated the conversation had by him with Mayor Strong, and expressed surprise at the failure of the Mayor to represent his city's interests.

"I only had a brief talk with the Mayor before leaving," said Mr. Hovee, "but he certainly told me that Mr. Clark was here and would speak for him. It was a hasty conversation. The Mayor remarked in an off-hand way that I had better step in at the hearing, and 'put a nail in the coffin.' Then I asked him about having somebody here to represent New York, and he said that Mr. Clark was at Albany looking after the city's interests, and would probably appear against the Raines bill. That was the substance of our conversation."

Later it was learned on good authority that Mr. Clark had received no request of any kind from Mayor Strong to be present at the hearing. He represents the city in all legal matters before the legislative committees, but does not handle any of the political matters. It is doubtful if he would have appeared at the hearing, under the circumstances, had he been requested by Mayor Strong, but no request was made to him that he should do so. Assistant Corporation Counsel Sperry, of Brooklyn, is at the capital constantly on a mission similar to that of Mr. Clark, but he also had not been either asked or directed to make public the objections of Mayor Wurstler, and Brooklyn was left out of it quite as much as New York.

Sixteen Cities Represented.

But the failures of the Mayors of the metropolitan district to look after the interests of their cities did not abate the ardor of those who remembered the wishes of the

people whose affairs they had been elected to administer. Sixteen cities were represented before the Governor, and thirteen of these told Governor Morton that the people did not want the Raines bill to become a law. Their protests were delivered before one of the largest audiences ever gathered in the Executive Chamber. Senator Raines, whose chief claim to notoriety is his introduction of the bill, came in early. He was followed by Senator Higgins, whose committee handled the measure in the Senate, and Assemblyman Allds, who looked after it in the House. Adjutant-General McAlpin was also an interested spectator, as was President Seth Low, of Columbia College. The greater part of the audience was composed of politicians of the minor sort, and members of Excise Boards, who showed the deepest interest in the discussion.

Mayor Thatcher, of Albany, and Mayor Gleason, of Long Island City, led the way to the Executive chamber. Here the chairs had been arranged in a long row in front of the Governor's desk, so that he could easily hear every speaker. Directly before the Governor sat Mayor Gleason, Mayor McGuire, of Syracuse; Mayor Tabor, of Hudson; Mayor Jewett, of Buffalo; Mayor Gibson, of Utica; Mayor Molloy, of Troy, and Mayor Bookstaver, of Dunkirk. Mayor Thatcher, of Albany, and Mayor Green, of Binghamton, stood up at the extreme end of the row of seats at the Governor's right and watched every speaker as his argument was made. Others who were present officially to represent their cities were President Hult, of the Jamestown Common Council; President Robinson, of the Newburgh Common Council; County Judge Langley, of Hudson; Corporation Counsel Cluman, of Kingston, and Attorney Parker, of the Albany Excise Board.

The Governor was attended by his private secretary, and his legal advisers of the Statutory Revision Commission. He started in briskly by asking Mayor Thatcher how long the hearing was likely to last. Albany's Mayor, who has worked hard to concentrate the opposition against the Raines bill, and who, more than any one else, was responsible for to-day's gathering, said he thought he should talk over an hour himself.

"Is there anybody who appears in favor of the bill?" asked the Governor. There was no answer at this time, and a smile stole over the face of Mayor Thatcher, who did not find any answer in the countenance of the Governor.

The Mayors and their representatives made their attacks on the bill without interruption, by either Governor Morton or his legal advisers. The speaking was led by Mayor Thatcher, who spoke long and earnestly on the most objectionable features of the measure. He argued that it was undoubtedly unconstitutional; that it was an outrageous violation of the home rule principle, and that among other things it inflicted unnecessary hardships on the people.

Mayor Thatcher's Broadside.

Thanking the Governor at the outset for granting the hearing, Mayor Thatcher proceeded at once to demonstrate the unconstitutionality of the act. The organic law of the State, he said, classifies the cities into classes, and general laws should be applicable alike to all cities of the same class. A liquor tax certificate in New York City is worth \$800, in Brooklyn \$600, in Buffalo \$500—the last named figure being the cost of a certificate in a city of the second class.

"Twenty-seven cities of the third class (under the Constitution) pay \$350, while three others belonging to the same class pay only \$300. Therefore, the bill cannot be general in its application to cities of the third class. In subdivision 2 of section 1 of the bill, provision is made for an excise tax for trafficking in liquors in quantities less than one gallon, no part of which shall be drunk on the premises. It is popularly known as a storekeeper's license. It is a very important trade in some cities and the license is most sought. Under this bill no storekeeper living in a city of less than 10,000 inhabitants can obtain the right to sell under a storekeeper's license."

"I declare that this bill to be unconstitutional in that (1) it fixes license taxes which are not uniform on cities of the same class, and in that (2) it does not fix license taxes on all cities of the third class, and, therefore, it belongs to a class of laws which, in the exact words of the Constitution, 'relate to a single city or to less than all the cities of a class.'"

"If the Constitution can be evaded by making divisions and classifications unrecognized by that instrument, it is certain

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MADE THE EARTH SHAKE FOR MILES.

Five Men Killed in a Terrible Explosion Up the Hudson River.

Lafin & Rand Powder Works, at Rifton, the Scene of Another Disaster.

Half a Mile of Buildings Wrecked, and People Fled from Their Homes in Terror.

FIFTEEN TONS IN TWO BLASTS.

Two Years Ago the Works Were Sent Skyward, and Four Men Lost Their Lives—No One Knows What Caused Either Explosion.

Kingston, N. Y., March 18.—The Lafin & Rand Powder Works at Rifton exploded shortly after 11 o'clock to-day. The upper glazer first exploded, setting off the dry house, and wrecking the corning mill, engine house and lower glazer. Five men were killed.

The dead are:

Elias Peterson, aged thirty-eight; married.

John Jones, thirty years; leaves a wife and two children.

Emery Decker, forty-eight years; leaves a wife and five children.

Naaman Decker, twenty-one; unmarried.

Solomon Smalley, aged thirty; leaves a wife and two children.

Aside from these fatalities there was no one injured. Thirty thousand pounds of powder in all exploded, 16,000 pounds at each explosion.

The cause of the explosion will never be known. The loss will exceed \$25,000. The works are seven miles from Kingston. The shock, however, was felt strongly in this city and caused panics in several factories where female help is employed, and people rushed from their homes and stores, fearing the buildings would fall.

The works were destroyed in a similar manner in January, 1894, and four men were killed. New buildings were afterward put up and extended for half a mile

along the Wallkill Creek. Six hundred kegs of powder exploded then. Many of the houses near the powder mill were damaged, and nearly every building in the town showed more or less the effects of the explosion.

The shock was felt throughout Ulster and Dutchess Counties, and many people believed it to be an earthquake when the trembling and reverberations were first heard. About fifty men were then employed in the Lafin & Rand Mills, and their homes were in the immediate vicinity of the powder works.

After the explosion the women and children from the company homes ran to the mills in a panic. Of the four men, who were literally blown to pieces, no trace could be found by which they could be identified. Only fragments of their bodies were discovered.

Then as in the present instance the cause of the explosion was not known. The building in which the explosion occurred first was known as the drying house, and was situated at the extreme end of the company's works. Immediately after the first explosion, another of two hundred kegs in the mill where the powder was crushed, took place.

DENOUNCED THE ROYAL HOUSE

An Italian Deputy Speaks Disrespectfully in the Chamber of the Crown.

Rome, March 18.—In the Chamber of Deputies to-day Signor Terri, Socialist, made an allusion to the Crown in connection with the late Government's African policy, whereupon the President called him to order.

Terri retorted by shouting that the Socialists were all anti-monarchists, which elicited cheers from the Socialists and cries of dissent from the other groups. The tumult was so great as to prevent the continuation of Terri's speech. Ex-Premier Crispi was present.

A proposal to send a message of salutation to England was loudly applauded by the Chamber despite the protests of Signor Imbrianti and other Socialists.

INK HAD NOT TIME TO DRY.

Mrs. Gruere Secured a Divorce and Married Again the Same Day.

Mrs. Louisa Gruere, of No. 60 Hudson street, Hoboken, received on Tuesday afternoon the copy of the decree of divorce granted her by the Chancellor, and within an hour she was again married, this time to Otto Lydo, a bookkeeper, who for several months has been paying attentions to the good-looking young grass widow.

The marriage was performed by Justice of the Peace George P. Seymour, who, oddly enough, officiated at the woman's first matrimonial venture, four years ago, when he married her to Herman Gruere.

YOUNG MILLIKEN'S MIDNIGHT PROWL.

Senator Harris's Secretary on Trial for Entering Judge Phillips's House.

The Daughter, to Whom He Was Engaged, Testifies Against Her Fiance.

Washington's Swell Set Deeply Interested in the Outcome of This Famous Case.

INTOXICATION IS THE DEFENCE.

Miss Gertrude Phillips Weeps as She Tells of Her Love for the Young Man Who Entered Her Room on That Fateful Night.

Washington, March 18.—The trial of Benjamin H. Milliken, the private secretary of Senator Harris, and formerly clerk of the Senate Committee on the District of Columbia, was begun at 11 o'clock this morning before Judge Cole, in the Criminal Court.

Milliken is charged with housebreaking in the night in having entered the residence of Judge Samuel T. Phillips, ex-Solicitor of the Treasury, on July 4 last, with intent to attack Judge Phillips's daughter Gertrude. This case has been the subject of surmise and conjecture on the part of the Washington swell set ever since it was made public.

On the date mentioned Milliken was discovered in the room of Judge Phillips's daughter, who on the stand to-day admitted that he was her accepted fiance, Milliken was turned over to the police and sent to the station house. His defence at the time was that he was drunk and knew nothing of the occurrence. When he arrived at the station he sent for Assistant Attorney-General Muldowney, who, on account of the lack of information concerning the affair, and thinking it was simply the mistake of a drunken man, ordered his release.

Milliken has for several years been a well-known man-about-town. He is thirty years of age, slightly bald, and with a long, reddish mustache. He has occupied many honorable positions in the Government service, and has always moved in the best social circles of the capital. When he rose this morning to plead to the indictment he was fashionably dressed in a long cut-away coat of dark blue material, with trousers to match. His complexion is naturally florid, but when he faced the Judge his face wore a deeper hue, and the veins of his forehead and neck stood out as if he were laboring under great mental distress.

The clerk, after reading the indictment, asked: "Guilty or not guilty?"

Milliken's lips moved, but not a sound was heard, and the clerk had a second time to ask him to plead. By this time, however, he had regained his composure, and in a firm voice replied: "Not guilty."

The Government was represented by the District Attorney and an assistant, and Frederick D. McKenny, a law partner of Judge Phillips. Milliken's counsel were Judge John Goode, of Virginia, and D. E. Anthony, of New York. Only a few minutes were taken up in the selection of a jury.

SOUGHT TO PROTECT HER.

The friends both of Miss Phillips and Milliken are of the opinion that it would have been much better not to have taken the case into court. When Milliken was captured he said he was willing to do anything to save the fair name of the prosecuting witness, and offered to leave the town or make any possible honorable amend, but the father of the girl was inexorable, and insisted that he must be punished.

Miss Phillips is one of the recognized belles of this city. She is a decided brunette of medium height. She wore to-day a black crepon suit that fitted her admirably, while her hat was perched upon her raven-black hair in jaunty fashion. Her complexion denoted perfect health, but her manner on the stand was nervous and pathetic.

The opening address to the jury was made by Mr. Birney. He said that the Government would attempt to show that Milliken, who had been acquainted with Miss Phillips for some time preceding, did on the night in question forcibly enter the Phillips house with criminal intent.

In opening for the defense Judge Goode said he wanted it distinctly understood that he did not intend, nor did his client intend, to reflect in the slightest upon the character of Miss Gertrude Phillips. He would not have undertaken the defence had it been otherwise. On the contrary, Judge Goode said, the vindication of Mr. Milliken would be the complete vindication of Miss Phillips.

"It was the Fourth of July," said Judge Goode, "and either because it was the natal day of his beloved land, or because he had a little tiff with his lady love, he indulged too freely in spirituous drinks. Between noon and 3 o'clock he drank six whiskey punches. And gentlemen of the jury," said Judge Goode, "persuasively, in his mellancholic voice, 'you know what that means; six whiskey punches.' Here there was a far-away echo of regret in the Judge's tones. 'Six whiskey punches; a combination of rum, whiskey, glucose, and so on, and so on.'"

"Later in the day he drank off what was left in a whiskey bottle in his room. In the evening he went to call upon Miss Phillips, as was his custom, but she excused herself. Milliken sent the servant back again, and while the latter was gone he entered the house, only partly realizing what he was doing. He sat down on a lounge in the parlor and went to sleep. His presence there was not suspected by the others in the house, and it was after midnight when he awoke. The house was not unlike that in which he lived, and when he awoke he started to go upstairs to bed under the impression that he was at home. The first he knew of his mistake was when he recognized Judge Phillips. Then he started to leave the house at once, anxious to make as little of a scene as possible. That was all there was to the case," said Judge Goode.

CAPTURED THE INTRUDER.

Judge Phillips was the first witness called for the Government. The Judge is about seventy years of age, and gave his testimony in a clear voice. He went to bed at 11:15 on the night of the occurrence and was awakened shortly after midnight by his daughter Elinor calling to him. He went upstairs without waiting to dress and found Gertrude in Elinor's room. Both were much excited. Gertrude was in convulsions. They started there was a man in the other room, meaning the youngest sister, Gertrude. After awhile his attention was called to the closet between the rooms, and when he grasped the knob some one tried to turn it from the inside. He held it firmly, but a few minutes after he saw the figure of a man pass between him and the gas in the rear room, showing that he had made his escape through the transom into that chamber. The man jumped

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M'KINLEY'S RAID CAUSED A BIG ROW.

Attempt to Break the Morton Delegation from This City a Failure.

Police Had Hard Work to Prevent a Riot in the Fifteenth Assembly District.

Inspector Cartright's Men Saved the Officers of the Meeting from Rough Treatment.

TROUBLE, TOO, IN THE TWELFTH.

Colonel George Bliss and the Brookfield Cohorts Had to Retire to the Gallery—Platt Men Wanted no Harmony.

A desperate attempt was made last night by the campaign managers of William McKinley to break Morton's column in this county, and send contesting delegates to the Republican National Convention who favor the nomination of the Ohio candidate.

There were hot rows between the Platt and Brookfield factions in the Ninth, Twelfth and Fifteenth District Conventions, and the presence of policemen was the only thing that prevented a riot in the latter district. Two conventions were held in one hall and Commissioners Collis and Wright will go to St. Louis as contestants. There will be contesting delegations from other city districts also. Should the McKinley people control the National Convention, the contestants from New York will undoubtedly be seated.

TWO SETS OF DELEGATES.

Two conventions were held last night by the Republican factions in the Fifteenth Congressional District, to elect delegates to the St. Louis Convention. Both conventions were held in Henrich Hall, at the corner of Eighty-sixth street and Third avenue. Two sets of delegates were elected, who will both appear at St. Louis claiming to be the regular delegates from the district.

The Brookfield people had hired the hall up to 7 o'clock, from which time the Platt men had engaged it. The delegates of the former faction gathered late in the afternoon at the hall and did not leave. They were furnished with sandwiches and liquid refreshments at dinner time, and were not permitted to leave the place. Outside of the building hundreds of followers of the rival factions were gathered demanding admittance.

Inspector Moses B. Corright, with Captain Dean, Sergeants Fuller and Reynolds and seventy-five policemen, were on hand and saw to it that no one but a delegate or a person bearing a card of admittance passed the gates. The bluecoats also preserved order outside.

A line was formed leading from the door of the building and extending as far as Second avenue and around that corner as far as Eighty-seventh street. The Platt delegates were adorned with Morton badges.

POLICE CALLED UPON.

The crowd kept up a continuous yelling, and thousands of curious people gathered around to witness the excitement. Several times the police were called upon to separate "heelers" who, tired of arguments, had resorted to fistfights to settle the affair.

Promptly at 8 o'clock W. C. Spooner, one of the Brookfield leaders, called the convention to order and nominated for temporary chairman Edward S. Clinch. Amid a chorus of yells from the Collis-Wright delegates and a roar from the "regulars" Clinch was declared elected and was rushed to the platform, and producing a gavel from his hip pocket pounded the table and called for the presentation of credentials from the delegates.

Isaac H. Newman, of the Platt faction,